

REMARKS

This Response is submitted in reply to the Office Action mailed on February 9, 2007. Claims 1, 2, 4-7, 9-16, and 18-23 are pending in this application. Claim 23 is allowed. Previously withdrawn claim 19 has been canceled. Claim 24 is new. No new matter has been added by any of the amendments made herein.

In the Office Action, claims 21 and 22 are objected to for informalities present in claim 21. Appropriate amendment of claim 21, as directed by the Office Action, has been made.

Claims 1-2, 4-5, 11-14, 16, and 20 stand rejected under 35 USC §102 as being anticipated by U.S. Patent No. 5,161,870, to Mason. Claims 21 and 22 stand rejected under 35 USC §103 under Mason. Claims 1-2, 4-7, 9-12, 14-15, 18, and 20 are rejected under 35 USC §103 as unpatentable over U.S. Patent No. 2,842,420, to Hansen, et al, in view of U.S. Patent No. 3,526,934, to Owen, Sr., and U.S. Patent No. 3,160,448, to Abernathy, et al.

With respect to the §102 rejection, claims 1-10 have been canceled herein. Claim 11 has been amended and, it is believed, is allowable over Mason. Claims 12, 13, and 20 have been amended with respect to the amendments of claim 11.

Mason shows a drawer front with a channel formed on a top edge so that it can receive flange 34 therein. Admittedly, the flange 34 would be slid into the channel by lowering the drawer front downward, which is in contrast to the lateral sliding intended by the design of the present application.

Turning to specific limitations, claim 11 requires the peripheral wall to have first and second end portions, and each of the end portions to have a mounting structure that projects laterally inwardly, as described in the specification, page 4, lines 18, *et seq.* Additionally, these mounting structures are “laterally slidably receivable” in a channel of the drawer front.

These features are not taught or suggested by Mason. Most particularly, the design of Mason does not allow the mounting structures to be “laterally slidably receivable” in a channel. Furthermore, the flange 34 of Mason is not positioned on an end portion of the peripheral wall, and Mason does not have first and second mounting structures, nor such mounting structures having base portions projecting forwardly from the end portions. Therefore, Mason cannot anticipate claim 11, nor claims 12-16, 18, 20, and 24 dependent therefrom.

Claims 21 and 22 stand rejected as obvious in view of Mason. As amended, claim 21 is believed to overcome this rejection. Claim 21 requires providing a drawer body with first and second mounting structures, aligning the attachment portion of the first mounting structure with the channel of the drawer panel, slidably inserting the attachment portion of the **first** mounting structure in the channel of the drawer panel, advancing the drawer panel towards the **second** mounting structure, slidably inserting the attachment portion of the **second** mounting structure in the channel, and sliding the panel therealong until the panel reaches a mounted position extending across the front end of the drawer body. As noted above, Mason has only a single “mounting structure,” the flange 34, the entirety of which is inserted into the channel at the same time. Once the flange 34 is received in the drawer front, the front is then tilted, not slid, into the final position. Accordingly, these steps are not disclosed or suggested.

Finally, claims 1-2, 4-7, 9-12, 14-15, 18, and 20 are found obvious in view of the combination of Hansen with Owen and Abernathy. Claims 1-10 have been canceled. With regards to claims 11-12, 14-15, 18, and 20, Applicant first of all reiterates the comments made in the previous amendment which rejected the same claims as obvious in view of the combination of Hansen and Owen. Specifically, Applicant previously stated (a) Hansen and Owen are non-analogous art; (b) that the combination of Hansen and Owen constituted impermissible hindsight;

and (c) that the combination does not disclose the combination of the claimed invention. In response, the Office Action has simply added a third reference, that being Abernathy, and dismissed the arguments regarding non-analogous art and impermissible hindsight as being moot. It is difficult to understand how utilizing a third reference in an attempt to show how the claimed invention is obvious renders moot the argument that impermissible hindsight resulted in the combination of the first two. Abernathy does not provide a motivation for combining Hansen and Owen, nor does the Examiner so contend.

Nevertheless, the combination of these references does not disclose or suggest the claimed structure of claim 11. Hansen teaches the use of dovetails for connecting a drawer front with peripheral sidewalls of a drawer body, and the Patent Office may arguably construe these dovetails as mounting structures at the end portions of the peripheral walls. However, the claimed mounting structures include a first portion (the base portion) that extends forwardly, and a second portion (the attachment portion) that extends laterally inwardly. The dovetails shown in Hansen are simply shown extending forwardly. The structure of Abernathy is shown extending laterally inwardly, but not forwardly of the drawer peripheral wall structure. The combination of Hansen, Owen, and Abernathy does not teach or suggest how one could modify or combine the structures of Abernathy and the dovetails of Hansen to arrive at the claimed mounting structures laterally slidably received in the front panel channel.

The present design clearly has non-obvious features over any combination of Hansen, Owen, and Abernathy. For instance, because the claimed mounting structures extend a distance laterally inwardly while still providing a sturdy construction, the forwardly extent of the claimed mounting structures is reduced in comparison to dovetails. In the structures shown in the cited references, the only manner in which the sturdiness of the construction can be improved is by

increasing the size of the panels, which is not required by the present claimed design. Accordingly, claim 11 is not obvious in light of the cited combination.

In light of the above, Applicants respectfully submit that claims 11-16, 18, and 20-24 are patentable over the art of record because the cited art does not disclose, teach or suggest all the elements of the claimed invention. Accordingly, Applicants respectfully request that these claims be deemed allowable at this time and that a timely Notice of Allowance be issued in this case.

If any other fees are due in connection with this application, the Patent Office is authorized to deduct the fees from Deposit Account No. 19-1351. If such withdrawal is made, please indicate the attorney docket number (25493-457390) on the account statement.

Respectfully submitted,

Seyfarth Shaw LLP
Attorneys for Assignee
131 South Dearborn Street
Suite 2400
Chicago, Illinois 60603
312-460-5000

By

A handwritten signature in black ink, appearing to read 'B. S. Clise', written over a horizontal line.

Brian S. Clise
Reg. No. 47,497